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Attorneys for Receiver, Maria E. Windham

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

MARIA E. WINDHAM, as Receiver for MARQUIS
PROPERTIES, LLC,

Plaintiff,

vs.

CRAIG MARTIN SHULTS, an individual;
CYNTRIX, INC., a dba or unknown entity; DUTCH
ACQUISITIONS, a dba or unknown entity; OPEN
MARKET REALTY CORP, a suspended California
Corporation; STRATEGIC PROPERTIES, LLC, a dba
or unknown entity, STP EQUITIES, LLC a suspended
California limited liability company; STRATEGIC
PROPERTY INVESTMENTS, LLC, a dba or
unknown entity; LOW INCOME REO, INC., a
Delaware Corporation; GORDON BOLSTER, an
individual, GLB INVESTMENTS, LLC a dissolved
Washington limited liability company; DAWN C.
POWERS, an individual; LAWRENCE LEELAND
LOOMIS, an individual; ARMOR EQUITIES, LLC,
an unknown entity or dba; and JOHN DOES 1-5,

Defendants.

**MOTION FOR COURT ORDER
DISMISSING DEFENDANT
CRAIG MARTIN SHULTS
WITHOUT PREJUDICE**

Case No. 2:18-cv-00062-PMW

Magistrate Judge Paul M. Warner

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Maria E. Windham (the “Receiver”), as Receiver for Marquis Properties, LLC and the assets of the Marquis Properties Receivership Estate, hereby voluntarily moves the Court to dismiss all claims she asserted in this lawsuit against Defendant Craig Martin Shults (“Shults”), individually, *without prejudice*, as to Shults *only*, the parties to bear their own costs. In deciding to dismiss Shults from this action *without prejudice*, the Receiver is relying upon the pleading Shults submitted pro se under his signature representing to the Court that Shults does not have any assets, no longer controls any entities, and remains incarcerated. A review of the docket in Shults’ criminal case shows that Shults is ordered to pay \$2,000,000 in restitution in that matter. Therefore, although the Receiver does not accept as true Shults’ denial of liability pursuant to the Receiver’s claims, she has determined that it is not economical to proceed against Shults at this time.

Because a pro se pleading has been submitted to the Receiver and transmitted by the Receiver to the Court, it appears to the Receiver that a Court Order dismissing Shults is necessary to voluntarily dismiss Shults from this case pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. Dismissal, with costs to each party, is justified because there is no counterclaim pending and defendant Shults similarly requests dismissal of the claims against him individually. Therefore, the Receiver respectfully requests that this Court dismiss *only* Craig Martin Shults, the individual, from this case without prejudice. A proposed Order is attached hereto as Exhibit A.

DATED this 19th day of April, 2018.

RAY QUINNEY & NEBEKER P.C.

/s/ Jascha Clark

Kristine M. Larsen

Jascha K. Clark

Brittany J. Merrill

Attorney for the Receiver, Maria E. Windham

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of April, 2018, I caused a true and correct copy of the foregoing **MOTION FOR COURT ORDER DISMISSING DEFENDANT CRAIG MARTIN SHULTS WITHOUT PREJUDICE** to be filed with the Clerk of Court using the Court's ECF System. In addition, a true and correct copy of same was served via U.S. Mail to the following:

Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Cyntrix, Inc.
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Dutch Acquisitions
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Open Market Realty Corp.
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Strategic Properties, LLC
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

STP Equities, LLC
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Strategic Property Investments, LLC
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

Low Income REO, Inc.
% Craig Martin Shults, Inmate
Fresno County Jail
P.O. Box 872
Fresno, CA 93712

/s/TerriAnne Gillis

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